

Notice of Allowability

Application No.

10/767,717

Applicant(s)

SHIERY ET AL.

Examiner

Michael Trettel

Art Unit

3673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 8/23/04.
2. ☒ The allowed claim(s) is/are 6 and 7.
3. ☒ The drawings filed on 29 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 05/03/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Michael Trettel
Primary Examiner
Art Unit: 3673

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The first sentence of the specification was changed to read as follows:

--This is a division of Serial No. 10/083,234, filed February 26, 2002 and now U.S. Patent Number 6,629,294.--

Reasons For Allowance

The following is an examiner's statement of reasons for allowance: the claims are allowable because the prior art of record fails to show or suggest the use of a cam member pivoted to the elongate brake bar of a stretcher brake system combined with a cam follower mounted on the wheeled carriage, as is set forth in paragraphs 6 and 7 of claim 6. The closest single reference found in the prior art is the cited patent to Hanson et al (US 6,264,006) which shows a brake system used upon the wheeled carriage of a stretcher or gurney. The brake system is generally similar to the one disclosed and claimed, and includes a longitudinal pedal actuated rotatable shaft 50 that operates a linkage formed by links 86, 87. A brake bar formed by transverse bar 89 is attached to a cross member of the wheeled carriage, and includes ring type shoes 92 that are pressed down into engagement with the wheels 18 of the castors. The

Art Unit: 3673

difference is in the operating means for moving the brake bar, in the Hanson reference the brake bar has a cam follower in the form of roller 80 attached to the brake bar by a vertical shaft 88. A cam surface with recesses 81, 82, 83 is formed upon a slider 79 which can be pushed or pulled transversely by the above said links 86, 87. A spring loaded plate 78 presses the slider 79 into engagement with the roller 80, with the height of the brake bar and engagement of the rings 92 being decided by the position of the roller within the recesses 81-83. The slider 79 is not pivoted to the brake bar but is instead attached to the operating linkage, nor is the cam follower or roller 80 mounted to the wheeled carriage but is instead attached to the brake bar by means of the above said vertical shaft.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Stryker, Pioth, Brooke et al, Rudolf et al, Lewandowski et al, Aulik, and Heiligenthal et al show castor braking mechanisms used upon wheeled carriages which are of particular interest.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Trettel whose telephone number is 703-308-0416. The

Art Unit: 3673

examiner can normally be reached on Monday, Tuesday, Thursday, or Friday from 7.30 am to 5.00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Shackelford, can be reached on (703) 308-2978. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.


Michael Trettel
Primary Examiner
Art Unit 3673